UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Microsoft Corporation, a Washington Corporation,	
Plaintiff,)
Vs.) Case No. 08 CV 3299
Myoda Computer Center, Inc., an Ill. Corporation, dba Myoda Computer Centers, Inc. dba Myoda Computer Centers and Charles Cheng, an Individual,) Judge St. Eve) Mag. Judge Schenkier)
Defendants.)

JOINT MOTION

Now come the Defendants, Myoda Computer Center, Inc. an Illinois Corporation, and Charles Cheng, an Individual, by and through their attorneys, Ciardelli and Cummings, and the Plaintiff, Microsoft Corporation, a Washington Corporation, by and through its attorneys, Perkins and Coie, LLP, and requests this Honorable Court to vacate the request of Microsoft Corporation to default the defendants and to allow the defendants' attorneys, Ciardelli and Cummings, leave to file their Appearance on behalf of the defendants and give them 28 days to answer or otherwise plead and states as follows:

- 1. Microsoft Corporation filed a Motion to enter a default against the defendants in this matter which was set for July 31, 2008 before the Honorable Judge Zagel.
- 2. That the defendants immediately notified American Family Insurance Company of the lawsuit and through the inadvertence on the part of the American Family Insurance Company, a defense firm was not retained in due time.
- 3. Thereafter, the defendants' insurance carrier hired the law firm of Ciardelli and Cummings to represent the interests of the defendants in this matter.
- 4. That the plaintiff's attorneys and the defendants' attorneys have agreed to allow the firm of Ciardelli and Cummings to file their appearance on behalf of the

defendants and to give them 28 days to answer or otherwise plead to the plaintiff's complaint.

WHEREFORE, for the above and foregoing reasons, we would respectfully request this Honorable Court to allow the law firm of Ciardelli and Cummings to file their appearance instanter and an order to give them 28 days to answer or otherwise plead to the plaintiff's complaint.

VICTOR F. CIARDELLI OF BEHALF OF DEFENDANTS

CIARDELLI AND CUMMINGS 19 West Jackson Boulevard, #300 Chicago, Illinois 60604 Phone: (312) 346-2522